

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL REVISION. APPLICATION NO. 354 OF 2002

NAMDEO PARBATI GADHAVE & ORS ... PETITIONERS

VS

SAMBHAJI RAMCHANDRA GADHAVE & ORS... RESPONDENTS

Mr. Uday Warunjikar for petitioner

Mr. V. G. Mujumdar for respondent

CORAM:-SMT. RANJANA DESAI, J.

DATED:-31-1-2005

P.C.

The learned counsel for the applicant prays that he may be allowed to withdraw the present Civil Revision Application as it is not maintainable. He says that applicant wants to adopt appropriate proceedings in this court. Hence Civil Revision Application is allowed to be withdrawn with liberty as prayed.

3. In my opinion, in the facts of the present case, respondents 2 to 4 should invite fresh bids from all the four bidders to the tender dated 11/6/2003 at the table (open bid) and the contract may be awarded to the bidder whose offer is the highest and who complies with all the conditions of the tender dated 11/6/2003.
4. If the four bidders are found to be not eligible then fresh tenders may be called. Tender dated 12-3-2004 should, however, be not proceeded with. If the bids offered are less than Rs.12,96,000/- then it will be open to the respondents to call for fresh bids with fresh tenders. In view of this, order passed by this court on 5-6-2003 and 23-12-2004 do not survive. I may note that chart of the bids received pursuant to tender dated 11-6-2003 is produced and the highest bid is Rs.12,96,000/-.

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